

S/N 09/372,170
Docket: YO998-529

REMARKS

Entry of this Amendment is proper under 37 CFR §1.116 since no new claims or issues are raised.

It is noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1-50 are all of the claims pending in the present Application. Claims 1-48 and 50 are allowed. Claim 49 stands rejected under 35 USC §102(e) as anticipated by newly-cited US Patent 6,762,684 to Camhi.

The rejection based on newly-cited Camhi is respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

As described and claimed, for example by claim 49, the present invention is directed to an apparatus including at least two sensors to obtain at least two forms of biometric data. Each biometric data form respectively provides an identification metric that uniquely identifies an individual.

A non volatile memory stores biometric data from the at least two sensors during an initiation stage. A comparator compares the biometric data stored in the non volatile memory with a biometric data obtained by the at least two sensors during an authentication stage. The at least two sensors, non volatile memory, and comparator are all located on a same device.

The prior art of record fails to teach or suggest this capability of providing a plurality of sensors on the single apparatus, such as the fingerprint sensor and voice analysis described exemplarily at lines 14-17 of page 14 of the specification.

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II. THE PRIOR ART REJECTION

The Examiner alleges that newly-cited Camhi anticipates claim 49.

The Examiner points to lines 20-26 of column 4 as demonstrating that Camhi teaches using two forms of biometric data.

Applicants disagree, since this newly-applied reference fails to teach or reasonably suggest using at least two biometric sensors, each form of biometric data capable of uniquely identifying an individual.

Applicants submit that, at most, these lines of Camhi teaches using a single biometric sensor that can uniquely identify the individual. As clearly indicated in lines 20-23 of column 4, the second sensor of Camhi is used to sense a physiological parameter to ensure that the person is actually present. This second sensor would not provide the capability of uniquely identifying an individual, as required by the plain meaning of the claim language.

Hence, turning to the clear language of the claims, there is no teaching or suggestion of “... at least two sensors to obtain at least two forms of biometric data, each said biometric data form respectively providing an identification metric that uniquely identifies an individual”, as required by claim 49.

For this reasons, Applicants submit that the claimed invention defined by claim 49 is fully patentable over Camhi.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-50, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

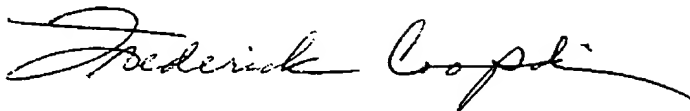
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: 5/16/05

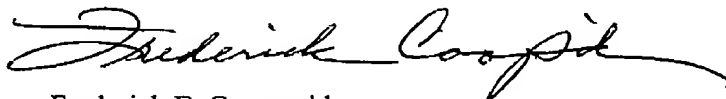


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CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 this Amendment under 37 CFR §1.116 to Examiner Matthew Smithers on May 16, 2005.



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